

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

UNITED STATES OF AMERICA

v.

MICHAEL DAVID CARROLL

NO. 3:21-CR-323-N

GOVERNMENT'S UNOPPOSED MOTION FOR PRESENTENCE PAYMENT

The United States of America (the government), pursuant to 28 U.S.C. §§ 1651, 2041, and 2042, moves this court for an order directing the defendant, Michael David Carroll, to make payment and for the Clerk of Court to accept such payment at or before sentencing and entry of judgment, and in support states:

1. Michael David Carroll pled guilty to Wire Fraud in violation of 18 U.S.C. § 1343. *See* Plea Agreement (Dkt. 3).
2. Pursuant to the plea agreement, Michael David Carroll has agreed to make payments toward his criminal financial obligations before sentencing.
3. Pursuant to 28 U.S.C. § 2041, the Clerk of Court is authorized to accept and hold funds on behalf of a defendant until sentencing, and pursuant to 28 U.S.C. § 2042, the Clerk of Court is authorized to withdraw and apply the funds to the financial obligations imposed against the defendant at sentencing.

4. The defendant may submit payments by cashier's check payable to the Clerk of Court with 3:23-CR-323-01 noted on each payment mailed or delivered to:

Clerk of Court
Northern District of Texas
1100 Commerce Street, Room 1452
Dallas, TX 75242

5. The court has the discretion to order the requested relief pursuant to the All Writs Act, which provides that "all courts established by Act of Congress may issue all writs necessary or appropriate in aid of their respective jurisdictions and agreeable to the usages and principles of law." *See* 28 U.S.C. § 1651.

6. The United States has conferred with counsel for the defendant, who has no objection to the requested order in aid of the plea agreement.

Wherefore, the government moves for an order directing the defendant or his agents to submit payment(s) by cashier's check made payable and delivered to the Clerk of Court at or before sentencing. Further, the United States moves for an order for the Clerk of Court to accept presentence payments to be held on deposit until sentencing, and thereafter apply those funds toward the criminal monetary obligations imposed against the defendant as provided by law and in accordance with the Clerk's standard operating procedures. A proposed order is attached to this filing and will be sent to the Court in Word format.

Respectfully submitted,

CHAD E. MEACHAM
UNITED STATES ATTORNEY

/s/ Dimitri N. Rocha

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CERTIFICATE OF CONFERENCE

The undersigned Assistant United States Attorney certifies that he conferred with counsel for the defendant, Christopher Woodward, and the defendant does not oppose this motion.

/s/ Dimitri N. Rocha

DIMITRI N. ROCHA
Assistant United States Attorney

CERTIFICATE OF SERVICE

The undersigned Assistant United States Attorney certifies that in accordance with Fed. R. Crim. P. 49, LCrR 49.2, and the Miscellaneous Order on Electronic Case Filing (ECF), the following document:

Government's Unopposed Motion for Presentence Payment

was served pursuant to the district court's ECF system on April 28, 2022.

/s/ Dimitri N. Rocha

DIMITRI N. ROCHA
Assistant United States Attorney